

FILED 8/11/20
U.S. DISTRICT COURT
24-HOUR DEPOSITORYIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Sensa Verogna, Plaintiff,)
v.) Case #: 1:20-cv-00536-SM
Twitter Inc., Defendant.)

DECLARATION IN SUPPORT OF PLAINTIFF'S
REQUEST FOR ENTRY OF DEFAULT BY CLERK

I, the Plaintiff, proceeding anonymously as Sensa Verogna, hereby
declare:

1. I am a New Hampshire resident over eighteen and have
personal knowledge of facts below. If called upon to testify, I
could and would testify competently as to the matters contained
herein.

2. I am the plaintiff in the above captioned case before this
Court.

3. This declaration is executed by me in accordance with Rule
55(a) of the Rules of Civil Procedure, and default under Local
Rule 55.1(a) for the purpose of obtaining entry of default by the
Clerk against the defendant, Twitter, Inc. for failure to answer
or otherwise defend as to Plaintiff's Complaint [Doc. 1], within
the time prescribed by Fed. R. Civ. P. 4., and within the form
required by Fed. R. Civ. P. 12.

4. On May 4, 2020, plaintiff filed a complaint against
defendant alleging violations of U.S.C. §1981 in Claim I, for
violations of 42 U.S.C. § 2000a AND N.H.R.S.A 354-A:17 in Claim

II and for violation of plaintiffs Constitutional Rights in Claim
III. Complaint at Dkt. @ 1.

5. On May 11, 2020, defendant was duly served the summons and
complaint by a service processor to the agent of record for Twitter
Inc., The Corporation Trust Company Corporation, Trust Center,
1209 Orange Street, Wilmington, DE 19801. [Doc. 2]

6. On May 18, 2020, plaintiff submitted Return of Service
Executed as to Twitter Inc. by Plaintiff, and, with an Answer or
other motion within the requirements of Fed. R. Civ. P. 12. by
June 1, 2020. [Doc. 2]

7. On June 1, 2020, defendant filed with this Court a Motion
to Dismiss Complaint or Alternatively Transfer, (herein after as
"Motion and Memorandum"), submitted on behalf of the defendant and
by Jonathan M. Eck, Esq. and Julie E. Schwartz, Esq. (motion for
pro hac vice admission to be filed), and with no others person
having filed on behalf of Twitter Inc., the defendant. [Doc. 3]

8. On June 4, 2020, though e-mail, Mr. Eck indicates that
Ms. Schwartz is and was not at the time of their filing the
defendant's Motion and Memorandum, authorized to appear or
practice before the First Federal District Court of New Hampshire.

[Doc. 7]
See ~~attached~~ Exhibit A.

9. Ms. Schwartz, an out of state attorney, is not to date,
nor at the time she submitted the defendant's Motion and
Memorandum, an active member in good standing of the Supreme Court

54 of New Hampshire which would have made her eligible for admission
55 to the bar of this Court. Local Rule 83.1 Bar of District Court
56 (a) .

57 10. Ms. Schwartz, an out of state attorney, is not to date,
58 nor at the time she submitted the defendant's Motion and
59 Memorandum; 1) formally started the application procedure for
60 admission; 2) sought nor received this Courts approval to appear
61 pro hac vice; 3) paid any fees; 4) taken any oath under Local Rule
62 83.1(b) ; 5) motioned this court for a special admission under Local
63 Rule 83.1(d) .; 6) submitted any supporting affidavit or paid a fee
64 as required by Local Rule 83.2., or; 7) motioned this Court for a
65 limited appearance for preparing documents such as her Motion and
66 Memorandum and this Court has not granted any leave pursuant to
67 Local Rule 83.7, Limited Representation by Counsel.

68 11. Ms. Schwartz, an attorney admitted to practice in
69 another state, but not authorized to practice in New Hampshire,
70 who counsels clients on New Hampshire law and drafts legal
71 documents for them and submits them to a New Hampshire Court
72 without requesting and being granted pro hac vice status before
73 filing the Motion and Memorandum with the Court engaged in the
74 unauthorized and prohibited practice of law in New Hampshire as
75 prohibited by N.H. RSA 311:7, and for this Court to accept
76 defendant's Motion and Memorandum [Doc. 3] submitted by Ms.
77 Schwartz would be tantamount to affixing an ex post facto

78 imprimatur of approval of the unauthorized and prohibited practice
79 of law in violation of N.H. RSA 311:7.

80 12. The Motion and Memorandum are illegal and prohibited and
81 therefore non-conforming under Fed. R. Civ. P. 12 and should be
82 stricken by the Clerk as authorized under Local Rule 5.2, and 77.2.

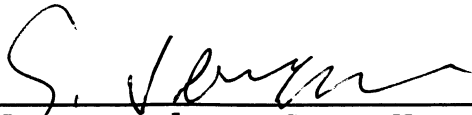
83 13. Defendant was notified on June 8, 2020, [Docs. 7 and 8]
84 of the illegality and inadequacy of its June 1, 2020 Motion to
85 Dismiss.[See Doc. 3] To date, the Defendant has made no attempt
86 and has failed to provide to the Court or the Plaintiff a
87 sufficient answer under Fed. R. Civ. P. 4., or a pleading in
88 conforming with Fed. R. Civ. P. 12 and has otherwise failed to
89 properly defend itself against the Plaintiff's Complaint, as
90 required by Fed. R. Civ. P. 4., and within the requirements stated
91 in the Summons.

92 14. Therefore, Defendant, Twitter, Inc. has failed to plead
93 or otherwise defend Plaintiff's Complaint by June 1, 2020, as
94 required by Fed. R. Civ. P. 4 or in the form required by Fed. R.
95 Civ. P. 12, and the clerk must enter the party's default under the
96 Rules of Civil Procedure, Rule 55(a) and or shall enter default
97 under Local Rule 55.1(a) .

98 15. Upon information and belief, defendant is not an infant,
99 incompetent, or presently engaged in the military service.

100

I declare under penalty of perjury that the foregoing is true
and correct. Signed this 11th day of August 2020 in the State
of New Hampshire.



/s/Anonymously as Sensa Verogna
VerognaSensaVerogna@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August 2020, the
foregoing document was made upon the Defendant, through its
attorneys of record to Jonathan M. Eck jeck@orr-reno.com and
Julie E. Schwartz, Esq., JSchwartz@perkinscoie.com.